

COMBINED COMPREHENSIVE PLAN

and

ZONING ORDINANCE

OF THE

VILLAGE OF MALCOLM

NEBRASKA

January 3, 1990

VILLAGE OFFICERS  
of  
MALCOLM, NEBRASKA

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## THE MALCOLM COMPREHENSIVE PLAN

### INTRODUCTION:

Long-Range Community Development is a serious job not to be taken lightly. The success of a community to thrive, expand and continue growth over a long period of time can be directly related to a Community Development Plan. It is within the power of every citizen to help plan in the public interest. Community Development depends largely on the individual response of its citizens to take personal interest in the local aspects and individual conditions, and build a workable feasible plan.

The preparation of the Development plan includes the following: (1) Review of the historical and physiographic background of the community. (2) An analysis of the elements of the community - its people and its functions, including the economic base, environmental conditions, population, community facilities and utilities. (3) A Close study of the community toward the realization of the best possible plan for community betterment.

The following document is an abbreviated form of the more traditional comprehensive plan. We call it a Community Development Plan. It is a "General Plan" of which the purpose-function is to serve as a general "guide" for all future development. It is not a detailed plan which will solve day to day problems. The plan shows major features, but not the refined objects.

It must be remembered that planning is a "continuing process" which cannot stop with the publication of this planning report. Changing trends which have not been contemplated, and changing conditions which cannot be predicted, will arise from year to year. Therefore, the plan must be reviewed and updated if it is to be useful as a working guide.

The plan should be used as a guide, not as a control. The zoning map and ordinance will provide for specific controls. Certain differences will persist between the development plan and the zoning ordinance. The development plan should always indicate the long-range objectives of the community in working toward its practical goals and its ideal. The zoning map will reflect past and present decisions which have been made along the way towards achieving the long-range objectives.

### HISTORY:

Malcolm is located on Section 21, Elk Precinct, situated near the western edge of Lancaster County. Approximately two miles off State Highway 34, Malcolm is twelve miles northwest of Lincoln, on State Spur 55M.

The town was named for Malcolm A. Showers, once owner of the section of land of which Malcolm is a part. The original plat was laid out by Mr. Showers and filed for record October 13, 1877.

Realizing the need for education and religious fellowship, he helped establish the first school in Malcolm, and served as minister of the Methodist settlers, holding services in the school house.

The first village board members, when Malcolm incorporated June 16, 1915, were: L. E. Cozad, Fred F. Schmieding, R.L. Mahan, Al Otterman and F. S. Davey.

The Burlington Railroad, which provided passenger mail and freight services as early as February, 1873, was abandoned in 1985.

Many business operations, formed to provide needed services to the early settlers, including a hotel, barber shop, butcher shop, creamery, banking facilities, lumber and coal yard, live-stock sales and a newspaper called the Malcolm Messenger, are now non-existent. The townspeople presently have access to a general store, post office and tavern.

#### FORM OF GOVERNMENT:

Malcolm is classified by the State of Nebraska as a village, governed by a five-member Village Board.

Village business is conducted from the Village Hall, unless otherwise specified.

Those serving on the present Village Board are:

#### REGIONAL SETTING:

Lancaster County is located in the southeastern part of Nebraska. Malcolm occupies a northwestern location in the County. Lancaster County has a total area of 843 square miles, or 539,520 acres. Malcolm is located two miles northwest of the junction of U.S. Highway 34 on Nebraska Spur 55M.

#### CLIMATE:

The climate of Malcolm is continental and temperate. Variations in temperature and precipitation between winter and summer are rather wide. Average date of frost is October 17. Average last frost is April 20. The growing season averages 180 days. Annual average precipitation is 27.43 inches, and the mean temperature is 25.1 degrees in winter and 80.1 degrees in summer.

#### PHYSIOGRAPHY:

In the Malcolm area there are three major soil associations:

1. Sharpsburg series composed of silty, stone-free soils of excellent tillage. All Sharpsburg soils are well drained,

have a high water-holding capacity, and are among the most productive of the uplands in the United States for growing corn, alfalfa, and small grains.

2. Wabash Silt Loam series, a twelve to eighteen inch, very dark or almost black surface layer. The Wabash soils occupy bottom-land areas subject to frequent or occasional overflow, and are more extensive than any of the alluvial soils. The Wabash soils are among the most productive in the Central Lowland for corn, alfalfa and sweet clover, and are used chiefly for those crops.
3. Crete Silty Clay Loam has a dark surface layer, the sub-soil is brown and dense and becomes lighter colored in the lower part. Crete soils are on the steeper slopes. Internal drainage is slow. Nearly all areas are cultivated. The soil is well suited to the main crops. The principle crops are corn, milo and soybeans.

#### WATERSHED:

In general, the county is a broad elongated basin, its axis followed throughout by Salt Creek, tributaries of which have produced minor irregularities in the outline of the basin. Drainage is chiefly northward and eastward to the Platte River, through Salt Creek and its tributaries. The extreme southern southeastern parts are drained by tributaries of the Big Blue and Nemaha Rivers. As a whole the county is well drained.

#### TOPOGRAPHY:

The average elevation of the county is about 1,400 feet above sea level, ranging from 1,520 feet on the high divide in the southeastern part, to 1,100 feet where Salt Creek crosses the eastern county boundary. The elevation of Malcolm in the area of the railroad tracks is 1,280 feet above sea level.

#### EXISTING LAND USE:

Planning for land use must be based on a knowledge of existing conditions. Therefore, an inventory has been made of existing land use.

Malcolm's corporate limits include an area of approximately 55 acres. The bulk of this area contains residential type buildings.

As shown on the Existing Land Use map, the land use falls into the following categories:

1. Agricultural - that land designated or utilized for farming or general agricultural purposes.
2. Residential - that land occupied by buildings, the primary use of which is sheltering individuals, families, or groups of persons.

3. Commercial - that land occupied by establishments which have merchandise offered for sale.
4. Industrial - that land either open space, or occupied buildings, the primary use being storage, transportation or manufacturing.

#### TRANSPORTATION:

Streets: The Village of Malcolm has within its jurisdiction 2.12 miles of streets. Asphaltic concrete streets account for 0.56 miles. Gravel or crushed rock streets account for the remaining 1.56 miles.

General: The ability of a street system to accommodate vehicular traffic is the primary consideration in its design. Properly designed street systems should:

- Provide greater safety
- Relieve congestion
- Reduce travel time
- Serve adjacent properties

The present Malcolm street system is deficient in several of these points, especially as pertains to the central business district.

The arterial highway serving Branched Oak Lake is hard surfaced as well as many residential streets. All streets within the system are hard surfaced, gravel or rock surfaced.

Generally, the drainage is adequate throughout the system. The narrow roadways are inadequate for parking on nearly all of the streets, including the asphaltic concrete surfaced arterial street, and particularly within the business district. Dirt and dust problems common to aggregate surfaced streets exist to some degree throughout the system. The street surfaces are satisfactorily maintained, but present the need for continued maintenance.

Traffic Flow: It is not anticipated that traffic flow will exceed the capacity of two lane streets within the foreseeable future of the system.

Traffic within a system typical of that in Malcolm is accommodated on two categories of streets:

1. Collector - streets which collect traffic from residential streets and move it to smaller commercial centers or to higher arterial systems.
2. Local - residential access service streets and local business streets characterized by very short trip lengths, almost exclusively limited to vehicles desiring to go to or from an adjacent property.

**Recommendations:** Primary consideration should be given to eliminating the open ditch drainage throughout the system. It is recommended this be done by providing a storm sewer system, preferably in conjunction with curb and gutter. The roadways could then be widened to accommodate parking as well as providing more adequate travelled ways.

The aggregate surfacing could be replaced by higher type surfacing, starting in the business area and then extended in stages according to neighborhood desires and through traffic needs.

**Financing:** Nebraska State Law provides that monies collected from such things as fuel taxes, motor vehicle registration fees, and sales tax from trailers, motor vehicles, and semi-trailers be distributed monthly on a prorated basis to counties and municipalities for street and highway purposes. The amount is based upon population, motor vehicle registrations, and number of miles of traffic lanes of streets within the municipality.

A village is entitled to one-half of its annual allocation with no requirement for matching. The second one-half must be matched with one dollar for each two dollars received. The money may be accumulated or invested for a period not to exceed four years. An additional annual incentive payment of \$300 is made to each municipality having in its employ a qualified city street superintendent.

Money would also be available by customary bond procedures or assessments against property adjacent to the improvement.

#### COMMUNITY FACILITIES:

The success of a community's development is dependent upon a well-developed public facilities program. This program must include health and safety needs; it must provide a peaceful atmosphere for the community. It must provide facilities to meet the needs of every individual. Among these needs are included schools, churches, post offices, parks, playgrounds, water systems, and sewer disposal systems. It must also provide public and semi-public buildings.

**Schools:** Malcolm School District Number 148 is built and maintained in Malcolm incorporated jurisdiction. It is a Class 2 system with a current state accreditation rating of "Approved". The total grades taught in the school are kindergarten through grade 12. Three new classrooms were added to the structure in 1972. In 1982 a new K-8 elementary structure was built at the north boundary of Malcolm, known as Westfal Elementary School, and named after Fern Westfal, former teacher and resident of Malcolm.

The total enrollment for elementary and middle school (K-8) in the 1988-89 school year is 207 students, with 123 students in the secondary school (9-12).



The school has an expanded curriculum and has State of Nebraska accredited athletic programs, speech and vocational programs. There is a bus service for students in the school district.

**Churches:** Every town has to have a focal point for community life. While the school is generally considered the neighborhood center, it is often limited in overall development since its audiences are limited to students and parents.

The church not only provides secular programs for all age groups, but also provides the sacred program that is an ingredient for family as well as community development.

Malcolm has three churches in the city limits; Malcolm United Methodist, St. Paul's Lutheran are wood frame structures and are in good condition with some remodeling being done occasionally. A school building also stands on the Lutheran church property. Northwest Community Church is organized and existing within the Village. It is without a permanent building at this time.

**Fire Protection:** The fire protection to Malcolm consists of a Volunteer Fire Department with 36 active members, financed and supervised by the Malcolm Rural Fire District. Malcolm is affiliated with the Lancaster County Civil Defense System, with adequate warning systems for emergency situations and disasters.

**Parks:** Malcolm has a public park with a playground facility. A public park should be one of the first improvements considered in development. A new ball field facility has been developed in the southeast corner of the village.

**Post office:** The Post office is located at the corner of 2nd and Lincoln Streets.

**Village Hall:** The Village Hall is located on 2nd Street, adjacent to the Post Office, and is open for use by village residents.

**Library:** Malcolm has no local library other than the limited services of the school. Lincoln library system is convenient and serves the Village by a bookmobile.

**Sanitary Service:** To handle the sanitary needs of the community, a refuse pick-up service is available from firms from the area which pick up at every home once a week. It appears to be a satisfactory answer to the refuse problem and thus eliminates the need for a local landfill area.

**Social Functions:** The main source of social life comes in two categories: (1) The church and its associated activities, which include family meetings; (2) The school provides a parent-teacher organization, which, of course, serves more than just social needs. Various musical and dramatic programs are presented throughout the school year. Athletic events are open to the public.

Utilities: Electricity to the Village of Malcolm is furnished by Norris Public Power Company located at Beatrice.

Telephone service is provided by Lincoln Telephone Company, maintained from the Lincoln office.

Natural gas is not presently distributed to Malcolm. Propane is generally used by residents of the Village.

Water: There are two water wells to serve the Village. In 1972 a large water storage supply was installed, with 75,000 gallon capacity.

Sewage: In order to achieve desired efficiency to handle the present population, and to accept future additions to the sewage system, a new treatment facility was added in 1976 as an aeration solid waste disposal plant at the southeast corner of the village.

Branched Oak Lake: Branched Oak Lake, located four miles northwest of Malcolm, is one of a series of impoundments in the Salt Creek Watershed. It has been developed as a State Recreational Area providing boating, water skiing, fishing, picnicking, hiking, swimming, camping, hunting and winter sports.

The recreational area includes some 3795.2 acres, of which 1800 acres are water surface.

Also, several miles south of Malcolm is located Pawnee Lake, which includes facilities similar to those at Branched Oak Lake.

#### Population Projection:

Considerable difficulties are encountered when trying to predict the future population of a community like Malcolm. After having increased in population by only 80 people in its first 90 years, the community suddenly increased some 180 in two years, and had a population of 350 people as of the 1980 census.

The population growth of Malcolm is primarily dependent upon outside factors - such as industrial growth in northwest Lincoln, the national trend of suburban growth, convenience and expense of commuting methods, development of nearby recreational facilities and desire of area developers to construct houses in Malcolm.

#### Future Goals:

1. Upgrade water distribution and capacity
2. Maintain sewage system treatment capacity
3. Improve existing street system
4. Work with school board to maintain adequate education facilities and standards
5. Stimulate pride in our community - making it more attractive in its physical appearance by:

- a. Improving poor housing
- b. Modernizing the business area
- c. Providing sidewalks for pedestrian travel
- 6. Clean community program to maintain public park and playground facilities
- 7. Encourage economic development by attracting public and private industry
- 8. Encourage community programs to promote productive use of leisure time
- 9. Establish cooperation with neighboring communities to provide highest quality of community service
- 10. Cooperate with Rural Fire District to maintain adequate fire equipment and facilities to keep pace with village expansion
- 11. Develop law enforcement as dictated by village expansion
- 12. Provide future maintenance building for village
- 13. Continued development of ball field facility

### NATURE OF ZONING

Zoning is an exercise of the basic power of the state, and its political subdivisions, to enact legislation protecting the public health, safety, morals, and general welfare of its citizens. This means that each regulation in the zoning ordinance must bear a reasonable and substantial relationship to these ends, or it will be found in violation of the "due process" clauses of state and federal constitutions.

Zoning is essentially a means of insuring that the land uses of a community are properly situated in relation to one another, providing adequate space for each type of development. It allows the control of development density in each area so that property can be adequately serviced by such governmental facilities as the street, school, recreation, and utilities systems. This directs new growth into appropriate areas and protects existing property by requiring that development afford adequate light, air, and privacy for persons living and working within the municipality.

Zoning is probably the single most commonly used legal device available for implementing the land-use plan of a community. Zoning may be defined as the division of a municipality (or other governmental unit) into districts, and the regulation within those districts of:

- 1. The height and bulk of building and other structures;
- 2. The area of a lot which may be occupied and the size of required open spaces;
- 3. The density of population;
- 4. The use of buildings and land for trade, industry, residence or other purposes.

Of major importance for the individual citizen is the part zoning plays in stabilizing and preserving property values. It affects the taxation of property as an element of value to be

considered in assessment. Ordinarily, zoning is only indirectly concerned with achieving aesthetic ends, although there has been an increasing tendency to include within zoning ordinances provisions which are most solidly based on "general welfare" concepts.